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District of Montana - Billings

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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KADIN HAWKEYE LEWIS,

Defendant.

CR 23-143-BLG-SPW

SUPERSEDING INDICTMENT

**POSSESSION OF UNREGISTERED
DESTRUCTIVE DEVICES (Count 1)**

Title 26 U.S.C. § 5861(d)

**(Penalty: 10 years of imprisonment,
\$250,000 fine, and three years of supervised
release)**

**ATTEMPTED MALICIOUS USE OF
FIRE AND EXPLOSIVES (Count 2)**

Title 18 U.S.C. § 844(i)

**(Penalty: Mandatory minimum five to 20
years of imprisonment, \$250,000 fine, and
three years of supervised release)**

**CARRYING EXPLOSIVES DURING THE
COMMISSION OF A FELONY (Count 3)**

Title 18 U.S.C. § 844(h)(2)

**(Penalty: Mandatory 10 years of
imprisonment, consecutive to any other
count of conviction, \$250,000 fine, and
three years of supervised release)**

CRIMINAL FORFEITURE

Title 26 U.S.C. § 5872(a) Title 18 U.S.C. § 844(c)

THE GRAND JURY CHARGES:

COUNT 1

That in or about September of 2022, at or near Emigrant, in Park County, in the State and District of Montana, and elsewhere, the defendant, KADIN HAWKEYE LEWIS, knowingly possessed firearms, which were destructive devices as defined by 26 U.S.C. § 5845(a)(8) and 26 U.S.C. § 5845(f), that were not registered in the National Firearms Registration and Transfer Record, all in violation of 26 U.S.C. § 5861(d).

COUNT 2

That in or about September of 2022, at or near Emigrant, in Park County, in the State and District of Montana, and elsewhere, the defendant, KADIN HAWKEYE LEWIS, intended to maliciously damage and destroy by means of fire and an explosive, any building, vehicle, and other real or personal property used in interstate and foreign commerce, and in any activity affecting interstate or foreign commerce, and the defendant took a substantial step towards the commission of that offense, all in violation of 18 U.S.C. § 844(i).

COUNT 3

That in or about September of 2022, at or near Emigrant, in Park County, in the State and District of Montana, and elsewhere, the defendant, KADIN

HAWKEYE LEWIS, knowingly and unlawfully carried an explosive during the commission of any felony which may be prosecuted in a court of the United States, namely possession of an unregistered destructive device, as charged in Count 1 of this superseding indictment, and attempted malicious use of explosives, as charged in Count 2 of this superseding indictment, in violation of 18 U.S.C. § 844(h)(2).

FORFEITURE ALLEGATIONS

1. Upon conviction of the offense set forth in Count 1 of this superseding indictment, the defendant, KADIN HAWKEYE LEWIS, shall forfeit, pursuant to 26 U.S.C. § 5872(a), any and all real or personal property, including the destructive devices described in this indictment, used and intended to be used in any manner and part, to commit, and facilitate the commission of the said offenses.
2. Upon conviction of either offense set forth in Count 2 and Count 3 of this superseding indictment, KADIN HAWKEYE LEWIS, shall forfeit, pursuant to 18 U.S.C. § 844(c), any explosive materials involved or used or intended to be used in the commission of the said offense.

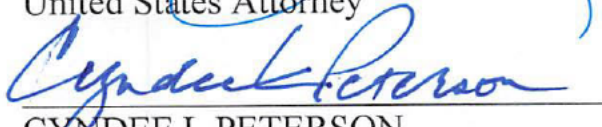
A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON



JESSE A. LASLOVICH
United States Attorney



CYNDEE L. PETERSON
Criminal Chief Assistant U.S. Attorney